

Introduced by Senator Wolk

February 18, 2011

An act to amend Section 51238 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 618, as introduced, Wolk. Local government: Williamson Act: compatible uses.

Existing law, the Williamson Act, authorizes a city or county to enter into 10-year contracts with owners of land devoted to agricultural use, whereby the owners agree to continue using the property for that purpose, and the city or county agrees to value the land accordingly for purposes of property taxation. Under the Williamson Act, the erection, construction, alteration, or maintenance of gas, electric, water, communication, or agricultural laborer housing facilities are considered compatible uses within any agricultural preserve.

This bill would additionally provide that the erection, construction, alteration, operation, or maintenance of renewable energy, and the operation of gas, electric, water, communication, or agricultural laborer housing are considered compatible uses within any agricultural preserve.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 51238 of the Government Code is
- 2 amended to read:
- 3 51238. (a) (1) Notwithstanding any determination of
- 4 compatible uses by the county or city pursuant to this article, unless

1 the board or council after notice and hearing makes a finding to
2 the contrary, the erection, construction, alteration, *operation*, or
3 maintenance of gas, electric, *renewable energy*, water,
4 communication, or agricultural laborer housing facilities are hereby
5 determined to be compatible uses within any agricultural preserve.
6 (2) No land occupied by gas, electric, *renewable energy*, water,
7 communication, or agricultural laborer housing facilities shall be
8 excluded from an agricultural preserve by reason of that use.
9 (b) The board of supervisors may impose conditions on lands
10 or land uses to be placed within preserves to permit and encourage
11 compatible uses in conformity with Section 51238.1, particularly
12 public outdoor recreational uses.